

Appln. No. 10/717,054
Response dated July 8, 2005
Reply to Office Action of April 21, 2005

REMARKS/ARGUMENTS

Reconsideration of the present application is respectfully requested.

The April 21, 2005 Office Action and the Examiner's comments have been carefully considered. In response, an English translation of a priority application is submitted and remarks are set forth below in a sincere effort to place the present application in form for allowance.

PRIOR ART REJECTION

In the Office Action claim 30 is rejected under 35 USC 103 as being unpatentable over USP 6,213,510 (Suyama). It is noted that the present application has a priority date under 35 USC 119 based on Japanese Patent Application No. 10-099954 of March 30, 1998, which is earlier than the filing date (November 22, 1999) of Suyama. In order to perfect the priority claim under 35 USC 119 and to obtain the benefit of the earlier filing date, submitted herewith is an English translation of a priority document of the present application (namely Japanese Patent Application No. 10-099954 filed in Japan on March 30, 1998). As seen from the English translation submitted herewith, claim 30 is

Appln. No. 10/717,054
Response dated July 8, 2005
Reply to Office Action of April 21, 2005

clearly fully supported by the original Japanese disclosure and is entitled to the priority date.

In view of the submission of the accurate English translation of the priority document of the present application, it is respectfully submitted that the Suyama reference cited and relied upon by the Examiner is no longer a proper reference against the claimed subject matter of the present application. It is therefore respectfully submitted that the rejection under 35 USC 103 has been overcome.

Withdrawal of the rejection, allowance of the claim and passing of the application to issue are respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner's indication that claims 31-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims is acknowledged and appreciated. Claims 31-35 have not been rewritten in independent form at this time in view of the asserted allowability of claim 30. If claim 30 is ultimately found to be unpatentable, Applicant reserves the right to present

Appln. No. 10/717,054
Response dated July 8, 2005
Reply to Office Action of April 21, 2005

claims 31-35 in independent form to place them in form for allowance.

* * * * *

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Passing of this application to issue is respectfully solicited.

Appln. No. 10/717,054
Response dated July 8, 2005
Reply to Office Action of April 21, 2005

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



Robert P. Michal
Reg. No. 35,614

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue
New York, New York 10001-7708
Tel. (212) 319-4900
Fax (212) 319-5101
RPM:ms

Encls.: English translation of Japanese Patent Application No.
10-099954